

REMARKS

Claims 1-17 are pending in this application. Claims 1, 7, 11, and 16 have been amended. Reconsideration of the application, as amended, is respectfully requested.

At the outset, the Examiner is thanked for the review and consideration of the present application. The following remarks are submitted as a full and complete response to the Office Action.

Amendment of Claims

Claims 1 and 9 are amended in order to clarify the characteristics of the present invention. These amendments are based on the original specification (see Paragraphs [0014] and [0018] together with Figs. 1B and 2C). Claims 7 and 16 are amended to correct a typographical error. Accordingly, no new matter should be introduced by way of the above amendments. The remarks are based on the amended Claims.

Declaration

The Examiner has objected to the Declaration as failing to comply with 37 C.F.R. § 1.67(a). This objection is respectfully traversed. As set forth in MPEP § 602 (VI Identification of Application) there are certain minimum information requirements for associating a Declaration with an application. Section B includes the combination of name of inventors and attorney docket number. This attorney docket number was given with the specification as filed. Thus, it is requested that the Examiner accept the Declaration filed with the application.

Claim Rejections – 35 USC § 103

The reference '401 (Wiltshire) cited by the Examiner is not found in the Notice of References, in which the Citation C (US-2003/0203320) being recorded Wiltshire as the inventor is incorrect. Applicant believes that the reference '401 should be US 6,660,456 that is invented by Wiltshire and with the publication number US 2003/0003401. Accordingly, the remarks are stated based on the reference US 6,660,456. Nonetheless, clarification is requested as well as a complete listing of considered references on the PTO-892 form.

Claims 1 and 9-10 are rejected under 35 USC 103(a) as being unpatentable over '401(Wiltshire) in view of '109 (Figura). Applicant respectfully traverses the rejection for the reasons set forth below.

Claims 2-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over '401(Wiltshire) in view of '109 (Figura) as applied to claims 1 and 9-10 above, and further in view of '446 (Lammert) and '802(Hu). Applicant respectfully traverses the rejection for the reasons set forth below.

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over '401(Wiltshire) in view of '109 (Figura) as applied to claims 1 and 9-10 above, and further in view of '708 (Koizumi). Applicant respectfully traverses the rejection for the reasons set forth below.

Claims 7-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over '401(Wiltshire) in view of '109 (Figura) as applied to claims 1 and 9-10 above, and further in view of '786 (Lin). Applicant respectfully traverses the rejection for the reasons set forth below.

Claims 11-14 are rejected under 35 USC 103(a) as being unpatentable over '401(Wiltshire) in view of '109(Figura) and '446 (Lammert) and '802 (Hu). Applicant respectfully traverses the rejection for the reasons set forth below.

Claim 15 is rejected under 35 USC 103(a) as being unpatentable over '401(Wiltshire) in view of '109(Figura) and '446 (Lammert) and '802 (Hu) as applied to claims 11-14 above. Applicant respectfully traverses the rejection for the reasons set forth below.

Claims 16 and 17 are rejected under 35 USC 103(a) as being unpatentable over '401(Wiltshire) in view of '109(Figura) and '446 (Lammert) and '802 (Hu) as applied to claims 11-14 above, and further in view of '786 (Lin). Applicant respectfully traverses the rejection for the reasons set forth below.

As described in the reference '401 (see Paragraphs [0014] and [0018]), Wiltshire et al taught an **anisotropic etching** to remove the second film layer 318 from the horizontal surface of the initial film layer 304 and from the horizontal surfaces of the first openings 312 and 314. Following the teaching of Wiltshire et al, the second film layer 318 is still remained on all of the vertical surfaces (i.e. the sidewalls) of the first openings 312 and 314, as shown in Steps 356 to 358 of Figs. 5 and 5A. This means that the second film layer 318 covers all of the sidewalls of

the openings. Therefore, it should be understood that the characteristics of “said tilted mask layer covering a portion of said sidewall and a portion of said opening base surface while the other portion of said sidewall and the other portion of said opening base surface remaining exposed” as stated in Claim 1 has never taught by Wiltshire et al.

Regarding the reference 109'(Figura), the Examiner considered the sloped masking layer 26 as shown in Fig. 3 is equivalent of the tilted mask layer as stated in Claim 1. Applicants respectfully submit that the Examiner's reasoning is incorrect. Note that the sloped masking layer 26 disclosed by Figura et al is formed by an **anisotropic etching** (see Col. 3, lines 7-11) similar to Wiltshire. By way of the etching, the underlying insulation layer 24 is exposed however all of the sidewalls of the opening are still covered by the sloped masking layer 26. Consequently, the sloped masking layer 26 cannot be considered equivalent to the tilted mask layer, which is defined as “covering a portion of said sidewall and a portion of said opening base surface while the other portion of said sidewall and the other portion of said opening base surface remaining exposed” as stated in Claim 1.

In light of the aforementioned, it should be understood that Claim 1 could not have been conceived from the combination of the references '401(Wiltshire) and '109(Figura) since neither of them teaches or suggests the characteristics as aforementioned. Claim 1 is accordingly patentable and Claims 2-9 depending thereupon are likewise applied.

Claim 11 cannot be conceived from the combination of the references '401 (Wiltshire), '109 (Figura), '446 (Lammert) and '802 (Hu) because none of them teach or suggest the characteristics of “said tilted photoresist layer covering a portion of said sidewall and a portion of said surface of said storage node while the other portion of said sidewall and the other portion of said surface remaining exposed” as stated in Claim 11.

With respect to the reference '446, the Examiner indicated that a desired photoresist profile achieved by heating and for a period of time is disclosed. Applicants point out that, not any teaching or suggestion in the reference 446' indicates a single sided conductor as stated in Claim 11 can be achieved by the desired photoresist without using extra lithography processes.

Accordingly, Applicants respectfully request the Examiner to withdraw this rejection. Claim 11 is accordingly patentable and Claims 12-17 depending thereupon are likewise applied.

The independent claims as well as their dependent claims are neither suggested nor rendered obvious by the utilized prior art. As such, all prior art rejections should now be reconsidered and withdrawn.

Conclusion

All of the claims in the present application are believed to be in condition for allowance. The Applicant respectfully requests that a Notice of Allowance be issued to this application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant